

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ORDER

On August 2, 2013, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties. (Docs. 16 and 17.) No objections to the Recommendation were filed. After consideration of the record, the Court hereby adopts the Magistrate Judge's Recommendation.

It is therefore ORDERED that the Commissioner's decision finding no disability is REVERSED, and the matter is REMANDED to the Commissioner under 42 U.S.C. § 405(g). The Commissioner is ORDERED to remand the matter to the ALJ for further administrative action as set out in the Recommendation. It is further ORDERED that Plaintiff's Motion for Judgment on the Pleadings (Doc. 8) is GRANTED and Defendant's Motion for Judgment on the Pleadings (Doc. 13) is DENIED.

This the 5th day of September, 2013.


John E. Dugan
UNITED STATES DISTRICT JUDGE

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Michael J. Astrue as the Defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).